

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

AIMEE O'NEIL,

Plaintiff,

v.

Case No: 8:20-cv-1451-T-36JSS

STATE OF FLORIDA,

Defendant.

ORDER

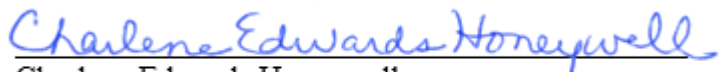
This cause comes before the Court upon the Report and Recommendation filed by Magistrate Judge Julie S. Sneed on September 14, 2020 (Doc. 16). In the Report and Recommendation, Magistrate Judge Sneed recommends that: (1) Plaintiff's Motion for Leave to Proceed *in Forma Pauperis* (Dkt. 1) be denied without prejudice; (2) Plaintiff's Complaint (Doc. 5) be dismissed without prejudice and with leave to file an amended pleading that complies with the Federal Rules of Civil Procedure within twenty (20) days of the date the Report and Recommendation becomes final; and (3) Plaintiff's Motion for Declaratory Judgment (Doc. 13) be denied as moot. All parties were furnished copies of the Report and Recommendation and were afforded the opportunity to file objections pursuant to 28 U.S.C. § 636(b)(1). No such objections were filed.

Upon consideration of the Report and Recommendation, and upon this Court's independent examination of the file, it is determined that the Report and Recommendation should be adopted. Accordingly, it is now

ORDERED AND ADJUDGED:

- (1) The Report and Recommendation of the Magistrate Judge (Doc. 16) is adopted, confirmed, and approved in all respects and is made a part of this Order for all purposes, including appellate review.
- (2) Plaintiff's Motion for Leave to Proceed *in Forma Pauperis* (Doc. 1) is **DENIED without prejudice**.
- (3) Plaintiff's Complaint (Doc. 5) is **DISMISSED without prejudice**. Plaintiff is granted leave to file an amended pleading that complies with the Federal Rules of Civil Procedure within **twenty (20) days** from the date of this Order. **Failure to file an amended complaint within the time provided may result in this action being dismissed without further notice from the Court.**
- (4) Plaintiff's Motion for Declaratory Judgment (Doc. 13) is **DENIED as moot**.

DONE AND ORDERED at Tampa, Florida on October 5, 2020.



Charlene Edwards Honeywell
United States District Judge

Copies to:
The Honorable Julie S. Sneed
Counsel of Record